

1 KAMALA D. HARRIS
Attorney General of California
2 JANICE K. LACHMAN
Supervising Deputy Attorney General
3 ANAHITA S. CRAWFORD
Deputy Attorney General
4 State Bar No. 209545
1300 I Street, Suite 125
5 P.O. Box 944255
Sacramento, CA 94244-2550
6 Telephone: (916) 322-8311
Facsimile: (916) 327-8643
7 ~~Attorneys for Complainant~~

8 **BEFORE THE**
9 **BOARD OF REGISTERED NURSING**
10 **DEPARTMENT OF CONSUMER AFFAIRS**
11 **STATE OF CALIFORNIA**

11 In the Matter of the Statement of Issues
12 Against:

13 **SHANDA BROWN**
14 **100 Miramont Court**
15 **El Dorado Hills, CA 95768**

16 Applicant.

Case No.

STATEMENT OF ISSUES

17 Complainant alleges:

18 **PARTIES**

19 1. Louise R. Bailey, M.Ed., RN ("Complainant") brings this Statement of Issues solely
20 in her official capacity as the Executive Officer of the Board of Registered Nursing ("Board"),
21 Department of Consumer Affairs.

22 **Application for Licensure by Endorsement**

23 2. On or about September 20, 2010, the Board received an Application for Licensure by
24 Endorsement for a registered nurse license from Shanda Brown ("Applicant"). On or about
25 August 11, 2010, Shanda Brown certified under penalty of perjury to the truthfulness of all
26 statements, answers, and representations in the application. The Board denied the application on
27 December 16, 2010.
28

1	2
3	4
5	6
7	8
9	10
11	12
13	14
15	16
17	18
19	20
21	22
23	24
25	26
27	28

4. Code section 480 states:

(1) Been convicted of a crime. A conviction within the meaning of this section means a plea or verdict of guilty or a conviction following a plea of nolo contendere. Any action that a board is permitted to take following the establishment of a conviction may be taken when the time for appeal has elapsed, or the judgment of conviction has been affirmed on appeal, or when an order granting probation is made suspending the imposition of sentence, irrespective of a subsequent order under the provisions of Section 1203.4 of the Penal Code.

5. Code section 2761 states, in pertinent part:

(f) Conviction of a felony or of any offense substantially related to the qualifications, functions, and duties of a registered nurse, in which event the record of the conviction shall be conclusive evidence thereof.

(Criminal Conviction)

a. On or about June 4, 2010, in the Superior Court, County of El Dorado, California in the matter entitled *People vs. Shanda Marie Brown*, 2010, Case No. P10-CRM0526 Applicant was convicted following her plea of nolo contendere to a violation of Vehicle Code section 23152, subdivision (a) (driving under the influence of alcohol), a misdemeanor. The circumstances of the crime are that on March 23, 2010, Applicant was arrested for driving under

1 the influence of alcohol following a traffic stop. Court records amended Applicant's blood
2 alcohol level to .15%.

3 **SECOND CAUSE FOR DENIAL OF APPLICATION**

4 **(Committed Acts Which if Done by a Licentiate Would**
5 **Constitute Cause for Discipline)**

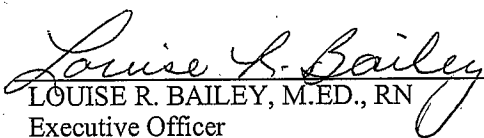
6 7. Applicant's application is subject to denial pursuant to Code section 480 subdivision
7 (a)(3)(A), in that Applicant committed acts which if done by a licentiate constitute cause for
8 discipline pursuant to Code sections 2761, subdivision (f) and 2762, subdivisions (b) and (c).

9 **PRAYER**

10 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,
11 and that following the hearing, the Board of Registered Nursing issue a decision:

- 12 1. Denying the application of Shanda Brown for a registered nurse license; and,
13 2. Taking such other and further action as deemed necessary and proper.

14
15 DATED: _____


16 LOUISE R. BAILEY, M.ED., RN
17 Executive Officer
18 Board of Registered Nursing
19 Department of Consumer Affairs
20 State of California
21 Complainant

22
23
24
25
26 SA2011100153
27 10679693.doc
28